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June 1, 2007

Allegheny County Board of Elections

The Honorable David B. Fawcett III, member, Board of Elections

The Honorable Kathryn M. Hens-Greco, interim member, Board of Elections

The Honorable David N. Wecht, interim member, Board of Elections

and Mr. Timothy H. Johnson, Director, Administration Division

and Mr. Mark Wolosik, Division Manager, Elections Division

County of Allegheny

County Office Building, Room 604

542 Forbes Avenue

Pittsburgh, Pennsylvania 15219

Re: **Previously Outstanding Efforts**

Ladies and Gentlemen:

Following is a summary of some of the issues and document requests VoteAllegheny and affiliated individuals and organizations have requested in the past six months. (There are some longer-standing requests which are not mentioned here, and there will be some further requests delivered at Monday's meeting.)

Inasmuch as we look forward to continuing to maintain a working relationship with the County, but nevertheless remain concerned over the state of elections, please permit us to reiterate.

| Documentation/Information Requested | Date Requested | What Was Received |
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| 1) Any and all documents concerning the security audit performed by Vigilant Minds on the county's Unity tabulation network and the individual machines including the final report itself. | 12/4/2006, letter signed by Celeste Taylor, <i>et al.</i> | In May 2007 we received a copy of the VigilantMinds report dated November 6, 2006, and update report dated November 9, 2006. |
| 2) Any and all documents relating to the parallel testing process including: | 12/4/2006 | |
| 1. Descriptions of the audit process and all data obtained during said process including internal audit logs for each iVotronic involved, and video recordings of the vote process. | | Nothing |
| 2. A list of those individuals involved with and permitted to witness the process. | | Nothing |
| 3. Determinations of law relating to the process of said audit including all rationale for excluding observers and members of the public. | | Nothing |
| 4. The final report or reports made of the process by those who conducted the audit. | | VigilantMinds Report |
| 3) Systems documentation for the election preparation process including: | 12/4/2006 | |
| 1. Vendor-supplied documentation and locally-generated plans for PEB programming. | | Nothing |

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| 2. Vendor-supplied and locally-generated documents regarding the iVotronic preparation and Logic and Accuracy testing. | | Nothing |
| 3. Vendor-supplied and locally-generated documents regarding the optical scanner preparation and tests including the test-deck used during the October 31 st L&A preparation. | | Nothing |
| 4. Any and all documentation relating to the preparation of the second scanner. | | Verbal acknowledgment that the second scanner was not properly prepared. Nothing more to come. |
| 5. Legal memos relating the decision to keep said test deck secret until now. | | Verbal acknowledgment, and a belated copy of the test deck. Nothing more to come. |
| 6. Vendor-supplied and locally-generated documentation regarding the test of Unity's tabulation procedures. | | Nothing |
| 4) Copies of all printed reports generated from the Unity tabulators on election night. This includes both the final "summary" reports that group all votes and the preliminary reports that differentiate vote totals by vote type (absentee versus iVotronic) and by district. Several such reports were generated and filed on election night. As they contain to private voter data they should be a matter of public record. | 12/4/2006 | Nothing |
| 5) Any and all reports detailing the relative rate of votes and undervotes by district, region, and vote type (iVotronic, Provisional, Absentee, etc). | 12/4/2006 | Cannot have. |
| 6) All documents, notes, e-mails, memos, letters and communications regarding any and all irregularities reported, problems experienced or complaints made concerning the voting system, ballots, voter registration or any component of the County's elections process, for the May 16, 2006 primary. | 12/4/2006 | Verbal note that there were no problems of consequence. |
| 7) All documents, notes, e-mails, memos, letters and communications between any official, employee or agent of the Allegheny County Elections Division or Board of Elections and any other person, concerning any irregularities, complaints or problems with any component of the County's voting system. This request encompasses all logs of all help calls made to the County. | 12/4/2006 | Nothing. |
| 8) All documents and records relating to requests for repairs, reports of problems experienced with the voting systems, and incidents in which any person rendered technical assistance for the use of voting machines, tallying equipment, and any relevant software, during any point leading up to and including the November 7 th 2006 General Election. This includes, but is not limited to, all reports made and received by roving technicians on November 7 th 2006. | 12/4/2006 | Nothing. |
| 9) All documents relating to the repair and/or replacement of elections equipment including iVotronics, PEBs and Optical scanners both before and after this election. This would include any work-orders or repair requests sent to ES&S and notes detailing the resolution if any. | 12/4/2006 | Nothing. |
| 10) Unity logs and Windows system logs from both the central tabulating systems and the laptop PC used to accumulate the results at the Region 7 Tabulation Center. | 12/4/2006 | Nothing. |

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| 11) | The "Tabulation Check-In Supervisor PEBs forms" that were generated on election night. | 12/4/2006 | Nothing. |
| 12) | Any and all documentation related to the decision to use two Optical Scanners on election day November 2006. This includes: | 12/4/2006 | Verbal acknowledgment of possible error in judgment. |
| | 1. Determinations of law regarding the use of two scanners if any. | | Nothing further will be provided. |
| | 2. Financial documentation detailing the rental or purchase of the second scanner. | | Nothing further will be provided. |
| 13) | Any and all documentation relating to the use of USB Keychains on election night. This includes: | 12/4/2006 | Verbal acknowledgment expressing concern about the issue. |
| | 1. Planning documentation for the operations on election night. | | Nothing further will be provided. |
| | 2. All legal analyses concerning the use of such devices. | | Nothing further will be provided. |
| | 3. All documentation generated subsequent to the election regarding the effect of using said devices. | | Nothing further will be provided. |
| 14) | Contracts and planning documents related to the involvement of ES&S staffers on Election night. In particular: | 12/4/2006 | Nothing. Even though the County and ES&S are opposing parties to a contract, the County persists in maintaining familiarity with the vendor. |
| | 1. Affidavits and oaths administered to ES&S personnel. | | Nothing. |
| | 2. Any contracts or limits on ES&S personnel both at the central tabulation center and acting as rovers. | | Nothing. |
| | 3. Any planning documentation relating to the presence of ES&S rovers as part of the repair crews on election night. | | Nothing. |
| 15) | Financial documentation detailing: | 12/4/2006 | |
| | 1. The number of temporary staffers hired for the November 2006 election. | | Nothing. |
| | 2. The cost of performing the Logic and Accuracy tests as well as system preparation. | | Nothing. |
| | 3. The cost of in-house ballot programming versus programming contracted with ES&S and recording of the Audio ballots. | | Nothing. |
| | 4. Any equipment rentals or other contracts formed with ES&S for the purposes of this election. | | A copy of the STARS contract. We presume that the County used the state form of the contract with no additions or special considerations. Nothing further. |
| | 5. Copies of contracts made for the printing of Absentee, Provisional and Emergency ballots as well as cost comparisons made between distinct vendors or means of production. | | Nothing. |
| 16) | Any and all contract and planning documents relating to the installation of binary-switch accessibility technology to the iVotronic systems including written guarantees from ES&S regarding the delivery date of said systems. | 12/4/2006 | Some discussion as to ES&S plans for development, and County has assured VoteAllegheny that accessibility was more important than paper records, therefore a contract was garnered for the former rather than the latter. Nothing more to be done. |

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| 17) | Planning documents relating to the change in polling place locations. These include: | 12/4/2006 | |
| | 1. Memos detailing the process by which voters will be informed of changes in polling place locations. | | Nothing. |
| | 2. Planning documentation regarding the decision to move polling places and detailing the number of polling places that were changed between this election and previous election cycles. | | Nothing. |
| 18) | Documentation regarding all audits performed of the district registers and the outsourcing of the district register digitization. | 12/4/2006 | Nothing. |
| 19) | All internal audit logs and printed reports regarding each iVotronic DRE machine and M650 Optical scanner employed in the November 2006 election as stored to the flash cards on the close of polls and any subsequent changes. | 12/4/2006 | Nothing. |
| 20) | The following request applies to Upper St. Clair Ward 4 District 3, Pittsburgh Ward 4 District 3, and the district designated by Unity numbers 0559, 0278, 0515, 1207, 0506, 0517, 0487, 0464, 0056, 1226, 0407, 0327, 0003, 0593, 0793, 1296, 1049, 0206, 0389, 0536, 0013 and 0109. | 12/4/2006 | |
| | 1. All records relating to any information regarding the actual number of registered voters who signed in at each precinct, including all poll books at each polling location. This request encompasses both the District Register and the Numbered List of Voters for each polling location. | | Nothing. |
| | 2. All printouts generated from each iVotronic DRE machine, each M650 central ballot counter, and each data cartridge and other data storage device used therein, including, but not limited to, the "zero-vote" printout, result tapes, and cancellation reports for each of these machines and devices used in connection with the November 7 th 2006 General Election. | | Nothing. |
| | 3. Voter card stub envelopes for each voting machine used during the November 7 th 2006 General Election. | | Nothing. |
| 1) | Receiving a copy of the results of the Judges of Elections survey from November; | 5/7/2007 | May 9, 2007, letter from A. Opsitnick indicates that the survey "did not result in any report or compilation. Presumably there is one survey from each election district which, if desired, can be viewed or copied." |
| 2) | Receiving a copy of the parallel testing report from the November election and details of plans for parallel testing for this election (which was also promised us before last Friday); | 5/7/2007 | Received May 9, 2007, with letter from A. Opsitnick. |
| 3) | Delineation of the Division's policy regarding the test deck to be used for logic and accuracy testing of the optical scanner, and receiving a copy of the test deck to be used tomorrow in such testing. | 5/7/2007 | Received May 9, 2007, with letter from A. Opsitnick. |

